

**29**                    **SECRETARY OF STATE**

**255**                   **MAINE STATE ARCHIVES**

**Chapter 4:        RULES FOR THE PUBLIC USE OF MATERIALS AND FACILITIES IN THE  
                     MAINE STATE ARCHIVES**

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**SUMMARY:** These rules include the policies and procedures governing the public use of agency records, archives, and deposited records in the custody of the Maine State Archives. The rules also prescribe policies and procedures governing the public use of certain facilities in the Maine State Archives.

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**1.        DEFINITIONS**

The following definitions are established for terms used in these rules.

"Agency records" means semi-current records of government agencies to which they retain legal title and control access and use, but that have been transferred to the physical custody of the Maine State Archives to effect economies and efficiency in their storage and use pending their ultimate disposition as authorized by Archives and Records Management law.

"Archives" means noncurrent government records that have been determined by the State Archivist to have sufficient value to warrant their continued preservation, and that are in the physical and legal custody of the Maine State Archives.

"Materials" means agency records as well as related finding aids (including electronic indexes) and reference works in the Maine State Archives.

"Researcher" means a person who has applied for access to materials, and who has been issued a researcher identification card.

"Research Area" means the area beyond the reception desk in the Research Room, including the public computer and microfilm reading areas.

"Research Room" means the designated area where researchers can consult with Archives staff, research microfilm, use public computers and view original documents.

**2.        AVAILABILITY OF MATERIALS FOR PUBLIC USE**

**A.        General**

1.        Persons seeking information that is published and readily available will normally be referred to a public library.
2.        Persons under the age of 16 shall be furnished with materials for use when accompanied by an adult researcher who agrees to be present when the materials

are used and to be responsible for compliance with the rules governing their use, or by other special arrangement.

3. Original materials shall not normally be provided for use if microfilm or digital copies of the materials are available.

4. Researchers shall be permitted to use materials only in the Research Room.

**B. Hours of Use**

Except for holidays and at such other times as may be specified by the State Archivist, materials shall be made available for use in the Research Room Monday through Friday from 9:00 A.M. - 4:00 P.M.

**C. Application Procedures for a Researcher Identification Card**

1. Applicants shall apply in person to the Maine State Archives and shall furnish, on a form provided for this purpose, information necessary for registration. Applicants shall furnish acceptable identification upon request.

**D. Researcher Identification Card**

A Researcher Identification Card shall be issued immediately to each person whose application is approved. The card shall be valid for the use of materials for a period of one year, but may be renewed upon application. Cards are not transferable and shall be produced when requested by agency personnel.

**E. Daily Sign In**

Researchers shall sign in each day upon entering the Research Room, furnishing all information specified on the registration form.

**F. Research Area Access by Non-Researchers**

Individuals who are not registered researchers are prohibited from entering the research area, except by permission of the Research Room staff.

**3. RESTRICTIONS ON ACCESS AND USE**

**A. Use of Agency Records**

Access to and use of agency records shall be permitted only to persons who have received the written approval of the agency whose records are involved, and is governed by any access and use procedures prescribed by law or by that agency.

**B. Use of Archives**

Access to and use of archives are subject to any restrictions imposed by statute or regulation.

C. Additional Restrictions

Access to and use of agency records, and archives records, and deposited records may also be restricted by the Research Room staff if such access and use would, (1) hamper the administrative, professional, or technical operations of the Maine State Archives, (2) unduly limit the furnishing of services to other users, or (3) result in possible deterioration, mutilation, loss or destruction. Application of search restrictions in individual cases is subject to approval by the State Archivist.

**4. RESEARCH ROOM RULES**

A. Researchers Responsibility for Materials Other Than Microfilm

1. Researchers shall acknowledge the receipt of all materials by signature. The materials made available at one time to any researcher may be limited by the Research Room staff.
2. Researchers are responsible for all materials delivered to them until the materials are returned to an attendant. Researchers shall return materials to an attendant as soon as use of them is completed for the day, and of all remaining materials at the end of each day.
3. Researchers shall notify an attendant before leaving the Research Room, or for a short period, and before leaving shall replace all unbound materials in their proper containers.

B. Keeping Materials in Order

Researchers must keep unbound materials in the order in which they were delivered to them. Materials appearing to be in disorder should not be rearranged by researchers, but should be referred to Research Room staff. Researchers are not permitted to remove unbound materials from more than one container at a time without the previous approval of Research Room staff.

C. Preventing Damage to Materials

Researchers shall exercise all possible care to prevent damage to materials furnished them. The use of "rubber fingers", and ball point, fountain or felt tip pens while using materials is prohibited. Materials shall not be written on, leaned on, folded anew, traced, fastened with paper clips or rubber bands or any other type of fastener, or handled in any way likely to cause damage. Researchers shall immediately notify staff should damage occur to any materials. Under no circumstances shall researchers attempt to repair damage of any type, including erasure of pencil marks. The use of records of exceptional value or in fragile condition shall be subject to any additional conditions specified by the Research Room staff.

D. Mutilation or Removal of Records

All parcels and luggage shall be checked in by researchers upon entering the Research Room. Researchers shall present for inspection upon leaving the Research Room any

briefcase, notebook, package, envelope, books, or other article that could contain materials furnished them for Research Room use. Researchers shall not bring into the research area of the Research Room overcoats, raincoats, jackets or similar apparel; briefcases, suitcases, purses, daypacks, tote bags, shopping bags, or similar containers for personal property; personal papers, books, notebooks, ring binders, folders, paper pads or other containers for paper; nor any device that could conceal documents. Purses and other valuables may be stored in the coin operated lockers provided for this purpose at the entrance of the Research Room. The Maine State Archives is not responsible for personal property of researchers.

Whoever intentionally removes any book, record, document or instrument belonging to or kept in any state office, except books and documents kept and deposited in the State Library, or intentionally secretes, alters, mutilates, defaces or destroys any such book, record, document or instrument, or, having any such book, record, document or instrument in his possession, or under his control, intentionally fails or refuses to return the same to that state office, or to deliver the same to the person in lawful charge of the office where the same was kept or deposited, shall be guilty of a Class D crime, (1 M.R.S.A. § 452).

E. Exceptions

The following exceptions may be granted: (1) Hand-Held wallets, coin purses, pencils, eyeglass cases, keys, credit cards, driver's licenses and other identification cards may be brought into the research area, but such items will be subject to inspection when the researcher enters and leaves the Research Room; (2) Preprinted "family tree" charts and preprinted forms and charts designed for use with specific United States Censuses may be brought into the research area if such forms and charts are not available at the Research Room desk. Such form and charts will be inspected when the researcher enters and leaves the Research Room; (3) Personal computers and recording devices may be brought into the research area. Such equipment will be inspected when the researcher enters and leaves the Research Room; (4) Reference notes and lists of materials to be consulted may be admitted to the research area if, in the judgement of the attendant on duty, they are essential to the researcher's immediate needs. Such materials will be inspected when the researcher enters and leaves the Research Room.

F. Use of Microfilms

Researchers shall operate microfilm readers in a manner that will prevent damage to either the microfilm or the reader. A staff member of the microfilm reading area may place time limitations on the use of microfilm readers in order to permit access to the machines by other researchers. One roll of film is to be used (per patron) at a time. Compiling multiple rolls of film per patron at a workstation is not allowed, this is so other patrons may have access to the film.

G. Conduct

Eating and drinking in the Research Room is prohibited. Smoking is prohibited in all state buildings. Loud talking and any other activities that will disturb other researchers are also prohibited.

H. Use of Personal Computers, Recording and Copying Equipment

Researchers desiring to use personal computers or recording devices shall work in areas designated by the Research Room staff. All photocopying of materials will be done only by personnel of the Maine State Archives with equipment belonging to the agency. Only laptop/tablet computers, digital cameras (flash turned off), Mp3 players and cell phones may be brought into the Research Room. Place cell phones on silent or vibrate mode while in the Research Room. Please make and receive phone calls in the lobby or outside the building. The archives staff reserves the right to limit use of approved electronics, including limiting the number of devices and charging cords a researcher places on a worktable, if use of those materials may damage collection materials.

## **5. SERVICES**

### **A. Information Services**

Within the limits of available resources, information services shall be provided on a priority basis, respectively, in response to official requests of State and local government agencies. The Maine State Archives cannot undertake substantive research for private individuals.

### **B. Information About Materials**

Upon request, overall information about holdings or specific materials shall be furnished, provided that the time required to furnish the information is not excessive in the judgment of the Research Room staff, and provided that the information is not restricted.

### **C. Information From Materials**

Normally, information contained in materials shall be furnished in the form of photocopies of the documents involved. A schedule of fees for photoduplication services is available from the Maine State Archives; by law, fees for all such services must be paid to the Maine State Archives in advance.

### **D. Certification of Copies**

Photocopies of nonrestricted materials in the custody of the Maine State Archives shall be attested upon request and after payment of the specified fee. The Maine State Archives will not attest to the nonexistence of a record that cannot be produced from its holdings. Authentication services are not provided.

### **E. Loan Requests**

Records in the custody of the Maine State Archives shall not be loaned to private persons nor to non-governmental organizations.

## **6. PUBLIC USE OF FACILITIES**

Public use of facilities of the Maine State Archives normally shall be restricted to the Lobby, Research Room and administrative offices. Access to stack areas and laboratories normally shall

be restricted to authorized agency personnel. Pets of any kind are prohibited in the archives facility unless it is a registered service animal.

## **7. VIOLATION OF RULES**

Violation of any provision of these rules, except those violations for which specific penalties are provided, is a Class E crime.

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